

Docket No.: 1330.1089

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Richard CARR, et al.

Serial No. 09/788,611

Confirmation No. 4560



Group Art Unit: 3625

Filed: February 21, 2001

Examiner: Garg, Yogesh C.

For: METHOD AND APPARATUS FOR DYNAMICALLY MAINTAINING AND EXECUTING
DATA DEFINITIONS AND/OR BUSINESS RULES FOR AN ELECTRONIC
PROCUREMENT SYSTEM

COMMENT ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Notice of Allowability mailed November 14, 2008, included an Examiner's Statement of Reasons for Allowance (hereafter, the "Statement").

Please note that MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

It is respectfully submitted that the Statement inappropriate groups claims together and inappropriately appears to paraphrase or improperly quote claim language. For example, the Statement groups claims 6, 74, 94 and 95 together, and quotes language in a manner that seems to imply that the quoted language appears in each grouped claim. However, from a careful review of the Statement, it can be seen that the language quoted by the Examiner does not appear in each of the grouped claims 6, 74, 94 and 95. Instead, the quoted language appears to be from claim 6.

It is respectfully submitted that such grouping of claims and improper quoting in the Statement is not proper under 37 C.F.R. §1.104 and as explained in M.P.E.P. §1302.14.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's improper quoting or grouping of claims in the Statement.

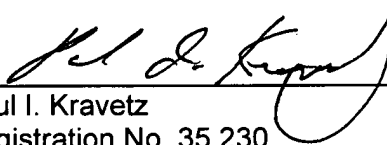
Moreover, the Statement indicates specific portions of the specification as providing definitions for recite claims terms. However, it is respectfully submitted that the entire application should be considered when determining claim definitions.

Respectfully submitted,

STAAS & HALSEY LLP

Date: December 1, 2008

By:


Paul I. Kravetz
Registration No. 35,230

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501